

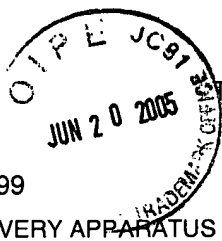
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 4398-21

C# M#

CALLUAUD et al.



C/A.U.

3743

Serial No. 09/466,971

Examiner: Aaron Lewis

Filed: December 20, 1999

Date: June 20, 2005

Title: SUBSTANCE DELIVERY APPARATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 76 minus highest number  
previously paid for 76 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 4 minus highest number  
previously paid for 4 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)  
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$ 130.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

**TOTAL FEE ENCLOSED \$ 130.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
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NIXON & VANDERHYE P.C.  
By Atty: Paul T. Bowen, Reg. No. 38,009

Signature: 



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

CALLUAUD et al.

Atty. Ref.: 4398-21; Confirmation No. 1797

Appl. No. 09/466,971

TC/A.U. 3743

Filed: December 20, 1999

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For: SUBSTANCE DELIVERY APPARATUS

\* \* \* \* \*

June 20, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR RECONSIDERATION**

In response to the Office Action dated April 6, 2005, reconsideration in view of the following remarks is respectfully requested.

Claims 1-5, 7-31 and 33-78 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-23 of U.S. Patent No. 6,029,660. Although Applicants traverse this rejection, submitted herewith is a duly executed Terminal Disclaimer to obviate the rejection. The filing of a Terminal Disclaimer is not an admission as to the propriety of the rejection. See MPEP 804.02.

In view of the filing of the Terminal Disclaimer, Applicants respectfully submit that all of the claims are patentable and that the entire application is in condition for allowance.

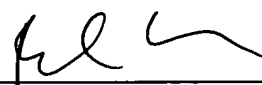
CALLUAUD et al.  
Appl. No. 09/466,971  
June 20, 2005

Should Examiner Lewis believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Paul T. Bowen  
Reg. No. 38,009

PTB:jck  
Attachment:  
Terminal Disclaimer

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